

ORDINANCE NO. 13-_____

BE IT ORDAINED by the City Council of the City of Huntsville, Alabama, as follows:

Section 1. The City Council of the City of Huntsville, Alabama, finds that an application has been presented to the City of Huntsville requesting a vacation of a portion of a utility and drainage easement; that the applicant has represented to the City of Huntsville that Peter M. Jones, is the owner of the property across which said easement lies; that said easement, or portion being vacated, is not presently used and is no longer needed for a public or municipal purpose.

Section 2. Pursuant to the findings in Section 1 hereinabove, the Mayor of the City of Huntsville, Alabama, is hereby authorized, requested and directed to execute a quitclaim deed vacating the easement hereinafter described, said deed being substantially in words and figures as follows, to-wit:

STATE OF ALABAMA)
 :
COUNTY OF MADISON)

KNOW ALL MEN BY THESE PRESENTS: That the undersigned, **CITY OF HUNTSVILLE, ALABAMA**, an Alabama municipal corporation, (the herein "Grantor") with mailing address of 308 Fountain Circle, Huntsville, AL 35801, in consideration of the sum of TEN DOLLARS (\$10.00), in hand paid to it by **PETER M. JONES**, (the herein "Grantee"), with mailing address of 7802 Mallard Road, SW, Huntsville, AL 35802, hereinafter referred to as "Grantee", and other good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, does hereby remise, release, quitclaim and convey unto the said Grantee, all of the Grantor's right, title, interest and claim in and to the following described real estate located at 7802 Mallard Road SW, Huntsville, AL 35802 and situated in the City of Huntsville, County of Madison, State of Alabama, to-wit:

All that part of Lot 5, Block 15, of Parkway Estates 5th Addition, Huntsville Alabama as recorded in Plat Book 3, Page 89, in the office of the Madison County Probate Records more particularly described as beginning at a point that is on the North property line for said Lot 5 and is South 49 degrees 04 minutes 13 seconds West 35.02 feet from the Northeast corner of said Lot 5.
Thence from the true point of beginning and along the 35' minimum building line South 37 degrees 35 minutes 09 seconds East 10.02 feet to a point on the South edge of a 10' Utility and Drainage easement. Thence along said easement South 49 degrees 04 minutes 13 seconds West 53.76 feet to a point. Thence North 40 degrees 55 minutes 47 seconds West 10.00 feet to a point on the North property line of said Lot 5. Thence along the North property line of said Lot 5, North 49 degrees 04 minutes 13 seconds East 54.34 feet, to the point of beginning and containing 540.5 square feet.

TO HAVE AND TO HOLD unto the said Grantee, its successors and assigns forever.

IN WITNESS WHEREOF, the Grantor has caused this quitclaim to be signed in its behalf by its Mayor and attested by its Clerk-Treasurer, on this the 7th day of November, 2013.

ATTEST:

CITY OF HUNTSVILLE, ALABAMA.
a municipal corporation

By: _____
Charles E. Hagood, Clerk-Treasurer

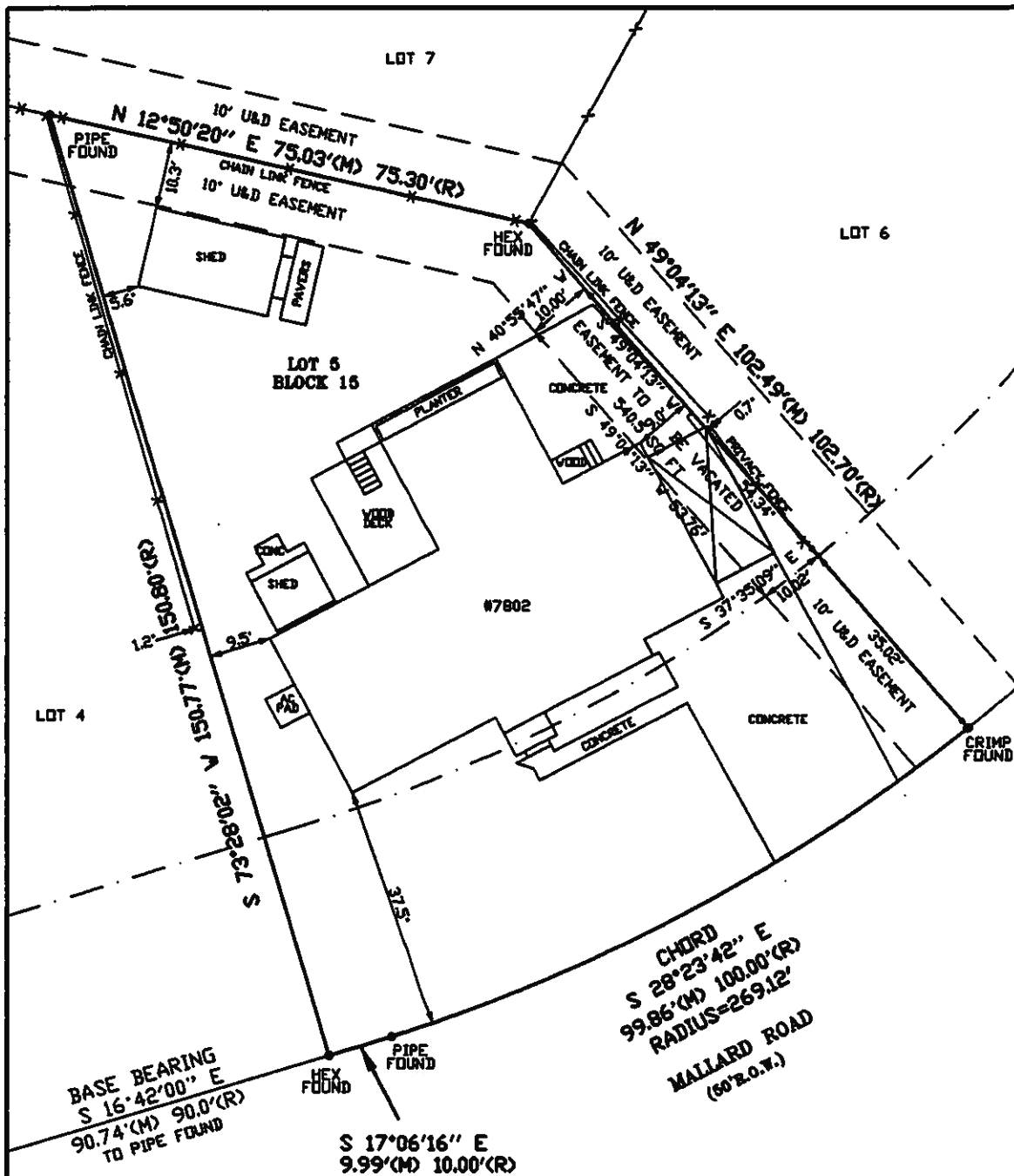
By: _____
Tommy Battle, Mayor

STATE OF ALABAMA)
 :
COUNTY OF MADISON)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that **TOMMY BATTLE** and **CHARLES E. HAGOOD**, whose names as Mayor and Clerk-Treasurer, respectively, of the **CITY OF HUNTSVILLE, ALABAMA**, a municipal corporation are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that being informed of the contents of the instrument, they, as such officers and with full authority, executed the same voluntarily for and as the act of said corporation on the day the same bears date.

Given under my hand and official seal this the 7th day of November, 2013.

Notary Public
My Commission Expires: _____



I, WILLIAM T. AGRELIUS, a professional land surveyor doing business with the firm of Big Spring Surveyors & Company at Huntsville, Alabama, hereby state that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information and belief.

The correct legal description of the property surveyed is Lot 5, Block 15, of the plat PARKWAY ESTATES 5TH.

ADDITION, Huntsville, Alabama as recorded in Plat Book 3 at Page 69, in the office of Madison County Probate Records located in the Madison County Courthouse at Huntsville, Alabama.

The correct street address of subject property is 7802 MALLARD ROAD.

HUNTSVILLE, ALABAMA.

I furthermore state that there are no encroachments visible on the surface that are not shown hereon.

According to my survey this 6th day of October, 2011.

Big Spring Surveyors

William T. Agrelius

WILLIAM T. AGRELIUS P.L.S.
Ala. Reg. No. 2144



North →

0 20

Scale 1" = 20'

(M)=MEASURED

(R)=RECORD

SCALE 1" = 20'	DRAWN: AWT
W.O.# 11-3712	CHE: WTA
DATE: 10/6/11	REV: 9/16/13

MORTGAGE SURVEY
FOR: ALENE VANDERHEYDEN
7802 MALLARD ROAD

Big Spring Surveyors
& Company
404 Andrew Jackson Way
Huntsville, Alabama 35891
Phone (256) 823-8080

Ordinance No. 13-_____ (Cont.)
Peter M. Jones

ADOPTED this the 7th day of November, 2013.

President of the City Council
of the City of Huntsville, Alabama

APPROVED this the 7th day of November, 2013.

Mayor of the City of
Huntsville, Alabama